

**FILED**

DISTRICT COURT OF GUAM

FEB - 1 2007

MARY L.M. MORAN  
CLERK OF COURT

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19 Attorneys for Defendant, Cross-Claimant and  
20 Counterclaimant S.J. GARGRAVE SYNDICATE 2724

21 **IN THE DISTRICT COURT OF GUAM**

22 **TERRITORY OF GUAM**

23 **UNITED STATES OF AMERICA,**

24 Plaintiff,

25 vs.

26 **INCHAPE SHIPPING SERVICES GUAM,**  
27 **LLC,**

28 Plaintiff in Intervention,

vs.

**MARWAN SHIPPING & TRADING CO.,**  
**FIVE SEAS SHIPPING CO., LLC, and S.J.**  
**GARGRAVE SYNDICATE 2724, in**  
**personam,**

Defendants.

**AND CROSS-CLAIMS, COUNTERCLAIM,**  
**AND CLAIM IN INTERVENTION**

Civil Case No.: 06-00011

**NOTICE OF DISMISSAL OF**  
**NAVIGATORS PROTECTION &**  
**INDEMNITY**

Complaint Date: April 19, 2006  
Trial Date: None Set

11620/0002/585335.1

NOTICE OF DISMISSAL OF NAVIGATORS  
Civil Case No.: 06-00011

**ORIGINAL**

1 COMES NOW Defendant, Cross-Claimant and Third-Party Complainant S.J.  
2 GARGRAVE SYNDICATE 2724 (hereinafter "Gargrave"), and, pursuant to Federal Rule of  
3 Civil Procedure 41(a)(1), dismisses its claims and its First Amended Third-Party Complaint  
4 herein as to Third-Party Defendant NAVIGATORS PROTECTION & INDEMNITY (hereinafter  
5 "Navigators") only. Navigators has not appeared as yet or filed an answer herein. This dismissal  
6 is without prejudice.

7 Dated this 31 day of January, 2007.

8 THOMAS M. TARPLEY, JR.  
9 A Professional Corporation

10 By: 

11 THOMAS M. TARPLEY, JR.,  
12 Attorney for Defendant, Cross-Claimant  
13 and Counterclaimant S.J. GARGRAVE  
14 SYNDICATE 2724  
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**CERTIFICATE OF SERVICE**

I, Thomas M. Tarpley, Jr., hereby certify pursuant to Rule 5(d) Fed. R. Civ. P. that on  
2/1, 2007, I caused to be served a true and correct copy of the **NOTICE OF  
DISMISSAL OF NAVIGATORS PROTECTION & INDEMNITY**, to the following:


R. Michael Underhill, Esq.  
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c/o Mike W. Schwab, Esq.  
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*Attorneys for Intervenor Inchape Shipping Services Guam LLC*

Dated this 1<sup>st</sup> day of Feb., 2007.

THOMAS M. TARPLEY, JR.  
A Professional Corporation

By:   
THOMAS M. TARPLEY, JR.,  
Attorney for Defendant, Cross-Claimant  
and Counterclaimant S.J. GARGRAVE  
SYNDICATE 2724